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May 29, 2007

Honorable Judge Phyllis J. Hamilton
United States District Court, Northern District of California
Courtroom 3, 17th Floor
450 Golden Gate Avenue
San Francisco, California 94102

Re: Havel v. SunAmerica Securities, Inc. et al. (Case No. C-06-4543 PJH)

Dear Judge Hamilton:

I am writing to respectfully request that Defendants SunAmerica Securities, Inc. ("SAS") and AIG Financial Advisors, Inc. ("AIGFA") (collectively "Defendants") be permitted to withdraw their motion for summary judgment, or in the alternative, summary adjudication ("Motion") without prejudice. The hearing on Defendants' Motion is presently scheduled for tomorrow, Wednesday May 30, 2007 at 9:00 a.m.

The parties, however, have orally agreed to settle this matter and are now in the process of finalizing and executing a written settlement agreement. Although we fully expect the parties to execute a written settlement agreement shortly, we respectfully request that Your Honor permit Defendants to withdraw their Motion without prejudice so that Defendants may re-calendar their Motion should settlement fail.

Sincerely,

Philip J. Smith

Philip J. Smith
PJS/PJS

5/29/07

